



Policy: 1161
Procedure: 1161.06
Chapter: Inspections and Investigations
Rule: Miranda Rights

Effective: 7/21/08
Replaces: 1160.12
Dated: 07/21/06

Purpose:

The Arizona Department of Juvenile Corrections (ADJC) Inspections and Investigations Division (IID) shall be aware of all of the legal ramifications of their actions regarding Miranda Rights and the directives within this procedure.

Rules:

1. When a person is in custody and is to be questioned concerning criminal activity, **IID INVESTIGATORS** shall advise him/her of his/her rights prior to questioning.
 - a. A person is considered to be in custody when s/he is arrested and is no longer free to walk away from the IID Investigator.
2. Procedure for Admonishment.
The **IID INVESTIGATOR** shall:
 - a. Advise a person of his/her rights when s/he is in custody or otherwise deprived of his/her freedom of action in a significant way;
 - b. Immediately cease interrogation when a person wishes to remain silent or have an attorney present during questioning;
 - c. Allow the person in custody private access to counsel.
3. Interrogation.
When **IID INVESTIGATORS** wish to question an in-custody suspect for the purpose of gaining information for presentation in court, **THEY** shall identify themselves as officers and inform the suspect of the offense that they wish to ask questions before the suspect is advised of his/her rights.
4. At the Scene of a Crime:
 - a. The **IID INVESTIGATORS** may pursue general on-the-scene questioning of individuals in the fact-finding process without the need to warn those questioned of their rights;
 - b. If after general on-the-scene questioning a person questioned is placed in custody, then the **IID INVESTIGATORS** shall read the person his/her rights before further questioning.
5. Field Interrogation:
The temporary questioning of persons not under arrest does not require the admonition of rights prior to interrogation as long as the investigator limits questions to requests for name, address, and an explanation of the person's actions.
6. Juvenile Interviews: **IID INVESTIGATORS** shall interview juveniles in accordance to Procedure 1161.02 Juvenile Interviews and Interrogations.

Signature Date

7-7-08

Approved by Process Owner

John Dempsey,
Inspections and Investigations Chief Administrator

Effective Date

7/21/08

Approved by

Michael D. Branham, Director